

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*

Track One Cases

MDL 2804

Case No. 17-d-2804

Hon. Dan Aaron Polster

**IN LIMINE EVIDENTIARY STIPULATIONS**

Plaintiffs, the Cuyahoga and Summit County Governments, and the remaining defendants<sup>1</sup> in the Track One trial hereby stipulate and agree that neither party, their counsel, nor their witnesses shall offer evidence or argument of the following in the presence of the jury:

1. Any reference to jurors' self-interest in the outcome of the litigation based on the jurors' status as taxpayers.
2. Any references to any counsel's other current or former (a) clients (by name or by type) or how they obtained them or may obtain future clients, (b) legal and other work, (c) specialization or practice experience, or (d) financial status or resources. This includes counsel's law firms and staff members.

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<sup>1</sup> AmerisourceBergen Drug Corporation; Cardinal Health, Inc.; Henry Schein, Inc. and Henry Schein Medical Systems, Inc.; McKesson Corporation; Cephalon, Inc., Teva Pharmaceuticals USA, Inc., and Teva Pharmaceutical Industries Ltd. (collectively, "Teva Defendants"); Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., Warner Chilcott Company, LLC, Actavis South Atlantic LLC, Actavis Elizabeth LLC, Actavis Mid Atlantic LLC, Actavis Totowa LLC, Actavis Kadian LLC, Actavis Laboratories UT, Inc. f/k/a Watson Laboratories, Inc.-Salt Lake City, and Actavis Laboratories FL, Inc., f/k/a Watson Laboratories, Inc.-Florida (collectively, "Actavis Generic Defendants"); and Walgreen Co. and Walgreen Eastern Co. Teva Pharmaceutical Industries Ltd. has asserted that it is not subject to personal jurisdiction and is specially appearing to join this submission; thus, it does not waive and continues to contest personal jurisdiction and to preserve its pending personal jurisdiction challenge.

3. Any reference to personal matters of an expert or the expert's family, such as divorce proceedings, that have no bearing on the witness's qualifications, opinions, or credibility.

4. Any suggestion or reference that an award of punitive damages is unconstitutional or illegal.

Dated: October 7, 2019

Respectfully Submitted,

/s/ Paul J. Hanly, Jr.

Paul J. Hanly, Jr.  
SIMMONS HANLY CONROY  
112 Madison Avenue, 7<sup>th</sup> Floor  
New York, NY 10016  
(212) 784-6400  
(212) 213-5949 (Fax)  
phanly@simmonsfirm.com

*Plaintiffs' Co-Lead Counsel*

/s/ Paul T. Farrell, Jr.

Paul T. Farrell, Jr.  
GREENE KETCHUM, LLP  
419 Eleventh Street  
Huntington, WV 25701  
(304) 525-9115  
(800) 479-0053  
(304) 529-3284 (Fax)  
paul@greeneketchum.com

*Plaintiffs' Co-Lead Counsel*

/s/ W. Mark Lanier

W. Mark Lanier  
THE LANIER LAW FIRM  
6810 FM 1960 Rd W  
Houston, TX 77069-3804  
(713) 659-5200  
(713) 659-2204 (Fax)  
wml@lanierlawfirm.com

*Lead Trial Counsel*

/s/ Joseph F. Rice

Joseph F. Rice  
MOTLEY RICE  
28 Bridgeside Blvd.  
Mt. Pleasant, SC 29464  
(843) 216-9000  
(843) 216-9290 (Fax)  
jrice@motleyrice.com

*Plaintiffs' Co-Lead Counsel*

/s/ Peter H. Weinberger

Peter H. Weinberger (0022076)  
SPANGENBERG SHIBLEY & LIBER  
1001 Lakeside Avenue East, Suite 1700  
Cleveland, OH 44114  
(216) 696-3232  
(216) 696-3924 (Fax)  
pweinberger@spanglaw.com

*Plaintiffs' Liaison Counsel*

/s/ Hunter J. Shkolnik

Hunter J. Shkolnik  
NAPOLI SHKOLNIK  
360 Lexington Ave., 11<sup>th</sup> Floor  
New York, NY 10017  
(212) 397-1000  
(646) 843-7603 (Fax)  
hunter@napolilaw.com

*Counsel for Plaintiff Cuyahoga County, Ohio*

/s/ Linda Singer

Linda Singer  
MOTLEY RICE LLC  
401 9th St. NW, Suite 1001  
Washington, DC 20004  
(202) 386-9626 x5626  
(202) 386-9622 (Fax)  
lsinger@motleyrice.com

*Counsel for Plaintiff Summit County, Ohio*

/s/ Geoffrey E. Hobart

Geoffrey E. Hobart  
Mark H. Lynch  
Sonya D. Winner  
COVINGTON & BURLING LLP  
One CityCenter  
850 Tenth Street NW  
Washington, DC 20001  
(202) 662-5281  
ghobart@cov.com  
mlynch@cov.com  
swinner@cov.com

*Counsel for McKesson Corporation*

/s/ Enu Mainigi

Enu Mainigi  
WILLIAMS & CONNOLLY LLP  
725 Twelfth Street NW  
Washington, DC 20005  
(202) 434-5000  
(202) 434-5029 (Fax)  
emainigi@wc.com

*Counsel for Cardinal Health, Inc.*

/s/ Robert A. Nicholas

Robert A. Nicholas  
Shannon E. McClure  
REED SMITH LLP  
Three Logan Square  
1717 Arch Street, Suite 3100  
Philadelphia, PA 19103  
(215) 851-8100  
(215) 851-1420 (Fax)  
rnicholas@reedsmith.com  
smcclure@reedsmith.com

*Counsel for AmerisourceBergen Drug Corporation*

/s/ Kaspar Stoffelmayr

Kaspar Stoffelmayr  
Brian C. Swanson  
Katherine M. Swift  
Matthew W. Brewer  
BARTLIT BECK LLP  
54 West Hubbard Street  
Chicago, IL 60654  
(312) 494-4400  
(312) 494-4440 (Fax)  
kaspar.stoffelmayr@bartlitbeck.com  
brian.swanson@bartlitbeck.com  
kate.swift@bartlitbeck.com  
matthew.brewer@bartlitbeck.com

Alex J. Harris  
BARTLIT BECK LLP  
1801 Wewatta Street, Suite 1200  
Denver, CO 80202  
(303) 592-3100  
(303) 592-3140 (Fax)  
alex.harris@bartlitbeck.com

*Counsel for Walgreen Co. and Walgreen Eastern Co.*

*/s/ Steven A. Reed*

Steven A. Reed  
Eric W. Sitarchuk  
Harvey Bartle  
Rebecca J. Hillyer  
MORGAN, LEWIS & BOCKIUS LLP  
1701 Market Street  
Philadelphia, PA 19103-2921  
(215) 963-5000  
(215) 963-5001 (Fax)  
steven.reed@morganlewis.com  
eric.sitarchuk@morganlewis.com  
harvey.bartle@morganlewis.com  
rebecca.hillyer@morganlewis.com

Nancy L. Patterson  
MORGAN, LEWIS & BOCKIUS LLP  
1000 Louisiana Street, Suite 4000  
Houston, TX 77002-5005  
(713) 890-5195  
(713) 890-5001 (Fax)  
nancy.patterson@morganlewis.com

Wendy West Feinstein  
MORGAN, LEWIS & BOCKIUS LLP  
One Oxford Centre, 32<sup>nd</sup> Floor  
Pittsburgh, PA 15219-6401  
(412) 560-7455  
(412) 560-7001 (Fax)  
wendy.feinstein@morganlewis.com

Brian M. Ercole  
MORGAN, LEWIS & BOCKIUS LLP  
200 S. Biscayne Blvd., Suite 5300  
Miami, FL 33131-2339  
(305) 415-3000  
(305) 415-3001 (Fax)  
brian.ercole@morganlewis.com

*Counsel for Teva Pharmaceuticals USA, Inc.,  
Cephalon, Inc., Watson Laboratories, Inc.,  
Actavis LLC, Actavis Pharma, Inc. f/k/a  
Watson Pharma, Inc., Warner Chilcott  
Company, LLC, Actavis South Atlantic LLC,  
Actavis Elizabeth LLC, Actavis Mid Atlantic  
LLC, Actavis Totowa LLC, Actavis Kadian*

*/s/ John P. McDonald*

John P. McDonald  
C. Scott Jones  
Lauren M. Fincher  
Brandan J. Montminy  
LOCKE LORD LLP  
2200 Ross Avenue, Suite 2800  
Dallas, TX 75201  
(214) 740-8000  
(214) 756-8758 (Fax)  
jpmcdonald@lockelord.com  
sjones@lockelord.com  
lfincher@lockelord.com  
brandan.montminy@lockelord.com

*Counsel for Henry Schein, Inc. and Henry  
Schein Medical Systems, Inc.*

*LLC, Actavis Laboratories UT, Inc. f/k/a  
Watson Laboratories, Inc.-Salt Lake City, and  
Actavis Laboratories FL, Inc., f/k/a Watson  
Laboratories, Inc.-Florida*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of October, 2019, the foregoing has been served via CM/ECF to all counsel of record.

/s/ Kaspar J. Stoffelmayr  
Kaspar J. Stoffelmayr

*Counsel for Walgreen Co. and Walgreen  
Eastern Co.*